

OCT. 25. 2005 4:31PM

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Docket No.: 509982003101  
(PATENT)

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Dated: October 25, 2005

Signature:

*Victoria Wilson*  
(Victoria Wilson)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Nickhil JAKATDAR et al.

Application No.: 10/757,689

Confirmation No.: 4104

Filed: January 13, 2004

Art Unit: 2823

For: **BALANCING PLANARIZATION OF LAYERS  
AND THE EFFECT OF UNDERLYING  
STRUCTURE ON THE METROLOGY  
SIGNAL**

Examiner: W. M. Brewster

**AMENDMENT UNDER 37 C.F.R. 1.111**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the non-final Office Action dated July 25, 2005 (Part of Paper No./Mail Date 071905), for which a response is due on October 25, 2005. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

sf-1976150